



1905 Leary Lane,  
Victoria TX 77901

May 10, 2016

**CC Docket No. 02-6**

Federal Communication Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Appeal of a Decision of the Universal Service Administrative Company

To whom it may concern;

Appellant Name: Tony Pompa  
CRN: 16062696  
Applicant Name: Industrial Independent School District  
Applicant BEN Number: 141456  
Funding Year: 2014  
Form 471 Application Number: 962646  
Form 472 Invoice Number: 2261010  
Funding Request Numbers: 2657227

**Background**

For funding year 2014, Industrial Independent School District received and paid services to the vendor listed:

**TISD**

As required by the program, the Form 472 was filed for reimbursement by Industrial ISD on 10/8/2015 (see Form 472 #2261010). As you can see the Form 472 was filed before the deadline of 10/28/2015. As of 10/8/2015 we had satisfied our requirements for filing Form 472. I followed up with the service provider to verify and ensure the form reached its proper destination; however, I was unable to get in contact with the service provider's E-rate personnel. Finally after numerous attempts I was informed that the representative who was working with the E-rate program was no longer employed (see email December 16, 2015). I continued to call the service provider and informed them of the E-rate Form 472 and it's

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requirement to get certified or denied. By the time TISD certified the form it was 1/22/2016 (see USAC denial letter).

I contacted USAC for guidance on the situation and USAC advised there was nothing we could do until the Form 472 was denied or certified by TISD.

This was an extraordinary situation for us as our efforts for filing were met with issues outside of our control. Industrial ISD had been temporarily abandoned by TISD and failed to perform which led directly to the denial of funding. Because of the extraordinary situation we were experiencing I submitted a letter to USAC requesting an invoice extension prior to the denial by USAC for late submissions of the Form 472 (see Letter of Appeal 12/18/2015).

We respectfully request the FCC to approve an extension request for the FRN listed in our appeal. We ask for the opportunity to receive an invoice extension so that we may request reimbursements for the expenses paid by Industrial Independent School District.

Attached are the, Form 472 Invoice #2261010, Industrial ISD Letter of Appeal, the E-mail with TISD, USAC's Administrator's Appeal Acknowledgement Letter and USAC's Administrator's Decision on Appeal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tony Pompa', is written over a large, stylized circular flourish.

Tony Pompa  
School Business Specialist  
361 -573-0731  
tpompa@esc3.net

**DO NOT STAPLE THIS FORM**

Do not write in this space.

**Universal Service for Schools and Libraries**Please read instructions before  
completing.(To be completed by schools, libraries, or  
consortia.)**BILLED ENTITY APPLICANT REIMBURSEMENT FORM**

For reimbursement of discounts on approved services already paid for by the Billed Entity Applicant.

Only one Service Provider Identification Number (SPIN) per form.

**Must be completed and signed by the Billed Entity Applicant and signed by the relevant service provider.**

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

**FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT**

Part 54 of the Commission's Rules authorizes the FCC to collect the information on this form. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to range from 1 to 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Act Project (3060-0856), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS FORM TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0856.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

Applicant Form Identifier (Create an identifier for  
your own reference)

IISDTISD

FCC Form 472 Invoice #

(To be inserted by administrator) 2261010

**BLOCK 1: HEADER INFORMATION**

1. Billed Entity Name	INDUSTRIAL INDEP SCHOOL DIST
2. Billed Entity Number	141456
3. Service Provider Identification Number (SPIN)	143008292
4. Contact Name	TONY WILLIAMS
5. Contact Telephone Number	361- 2843226 ext
6. Total Reimbursement Amount (total from Block 2, Column 14)	\$17,141.00



### Billed Entity Applicant Reimbursement Form

For reimbursement of discounts on approved services already paid for by the Billed Entity Applicant.

Billed Entity Name INDUSTRIAL INDEP SCHOOL DIST Billed Entity Number 141456

Contact Name TONY WILLIAMS Contact Telephone Number 361-2843226

Applicant Form Identifier IISDTISD

#### BLOCK 2: LINE ITEM INFORMATION PER FUNDING REQUEST NUMBER

	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
	FCC Form 471 Application Number (from Funding Commitment Decision Letter)	Funding Request Number (FRN) (from Funding Commitment Decision Letter)	Bill Frequency	Customer Billed Date (mm/yyyy)	Shipping Date to Customer or Last Day of Work Performed (mm/dd/yyyy)	Total (Undiscounted) Amount for Service	Discount Rate	Amount Billed to USAC (Column 12 multiplied by Column 13)
			DO NOT WRITE IN THIS COLUMN.	For each FRN, complete either Column (10) or Column (11), but not both Columns				
1	962646	2657227			7/1/2014	\$28,100.00	61.00	\$17,141.00
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
<b>TOTAL REIMBURSEMENT AMOUNT TO BE ENTERED INTO ITEM (6)</b>								<b>\$17,141.00</b>

## BILLED ENTITY APPLICANT Reimbursement Form

Billed Entity Name INDUSTRIAL INDEP SCHOOL DIST

Billed Entity Number 141456

Contact Name TONY WILLIAMS

Applicant Form Identifier IISDTISD

### Block 3: Billed Entity Certification

I declare under penalty of perjury that the foregoing is true and correct and that I am authorized to submit this Billed Entity Applicant Reimbursement Form on behalf of the eligible schools, libraries, or consortia of those entities represented on this Form, and I certify to the best of my knowledge, information and belief, as follows:

- A. The discount amounts listed in Column (14) of this Billed Entity Applicant Reimbursement Form represent charges for eligible services delivered to and used by eligible schools, libraries, or consortia of those entities for educational purposes, on or after the service start date reported on the associated Form 486.
- B. The discount amounts listed in Column (14) of this Billed Entity Applicant Reimbursement Form were already billed by the service provider and paid by the Billed Entity Applicant on behalf of eligible schools, libraries, and consortia of those entities.
- C. The discount amounts listed in Column (14) of this Billed Entity Applicant Reimbursement Form are for eligible services approved by the fund administrator pursuant to a Form 471 Funding Commitment Decision Letter.
- D. I recognize that I may be audited pursuant to this application and will retain for five years any and all records that I rely upon to fill in this form.
- E. I certify that, in addition to the foregoing, this Billed Entity Applicant is in compliance with the rules and orders governing the schools and libraries universal service support program, and I acknowledge that failure to be in compliance and remain in compliance with those rules and orders may result in the denial of discount funding and/or cancellation of funding commitments. I acknowledge that failure to comply with the rules and orders governing the schools and libraries universal service support program could result in civil or criminal prosecution by law enforcement authorities.

15. Signature of authorized person **Signed electronically by TONY WILLIAMS**

16. Date **10/8/2015**

17. Printed name of authorized person **TONY WILLIAMS**

18. Title or position of authorized person **SUPERINTENDENT**

19. Telephone number of authorized person **361- 2843226**

20. Address of authorized person **P.O. BOX 369, VANDERBILT TX 77991-0369**



## BILLED ENTITY APPLICANT Reimbursement Form

Billed Entity Name INDUSTRIAL INDEP SCHOOL DIST

Billed Entity Number 141456

Contact Name TONY WILLIAMS

Applicant Form Identifier IISDTISD

### Block 4: Service Provider Acknowledgment

I declare under penalty of perjury that the foregoing is true and correct and that I am authorized to submit this Service Provider Acknowledgment for this Billed Entity Applicant Reimbursement Form, and acknowledge to the best of my knowledge, information and belief, as follows:

- A. The service provider must remit the discount amount authorized by the fund administrator to the Billed Entity Applicant who prepared and submitted this Billed Entity Applicant Reimbursement Form as soon as possible after the fund administrator's notification to the service provider of the amount of the approved discounts on this Billed Entity Applicant Reimbursement Form, but in no event later than 20 business days after receipt of the reimbursement payment from the fund administrator, subject to the restriction set forth in B. below.
- B. The service provider must remit payment of the approved discount amount to the Billed Entity Applicant prior to tendering or making use of the payment issued by the Universal Service Administrative Company to the service provider of the approved discounts for the Billed Entity Applicant Reimbursement Form.
- C. I certify that, in addition to the foregoing, this Service Provider is in compliance with the rules and orders governing the schools and libraries universal service support program, and I acknowledge that failure to be in compliance and remain in compliance with those rules and orders may result in the denial of discount funding and/or cancellation of funding commitments. I acknowledge that failure to comply with the rules and orders governing the schools and libraries universal service support program could result in civil or criminal prosecution by law enforcement authorities.

21. Signature of authorized person (fax, copy or original signature)

22. Date

23. Printed name of authorized person

24. Title or position of authorized person

25. Telephone number of authorized person -

26. Address of authorized person

### 27. Applicant Remittance Information

Name **TONY WILLIAMS**

Title **SUPERINTENDENT**

Street Address

**PO BOX 369**

**VANDERBILT, TX 77991-0369**

A paper copy of this Form (pages 1-4) should be mailed to:

SLD BEAR FCC Form 472  
P.O. Box 7026  
Lawrence, KS 66044-7026

If sent by express delivery services or U.S. Postal Service, Return Receipt Requested, the form (pages 1-4) should be mailed to:

SLD Forms  
ATTN: SLD BEAR FCC Form 472  
3833 Greenway Drive  
Lawrence, KS 66046  
Phone: 1-888-203-8100



*1905 Leary Lane,  
Victoria TX 77901*

December 18, 2015

Schools and Libraries Division Correspondence Unit  
Attention: Letter of Appeal  
30 Lanidex Plaza West, PO Box 685  
Parsippany, NJ 07054-0685

Re: Appeal of a Decision of the Universal Service Administrative Company

Appellant Name: Tony Pompa  
CRN: 16062696  
Applicant Name: Industrial Independent School District  
Applicant BEN Number: 141456  
Funding Year: 2014  
Form 471 Application Number: 962646  
Reimbursement Form Number: 2261010  
Funding Request Numbers: 2657227

### Appeal

#### **Background**

For funding year 2014, Industrial Independent School District received and paid services to the vendor listed:

#### **TISD**

As required by the program, the Form 472 was filed for reimbursement by Industrial ISD. The amounts entered on Form 472 (invoice#2261010) were the total amounts paid for services less the discount rate. Because we have not received any reimbursement nor a Form 472 Notification Letter, I called USAC to get details. I was informed the reason we have not received any information was because the service provider representative has not certified the Form 472. USAC provided me with information on who to contact at TISD. I contacted TISD and I was informed that the representative who was working with the Erate program was no longer employed. I've contacted the service provider TISD several times to discuss the



Letter of Appeal  
Page 2  
December 18, 2015

Form 472 but to no avail. Recently I was given the name of another person who is supposed to continue with the program services but they have not made contact with us. At some point TISD will have to deny the Form 472 and forward to USAC. When they do process the Form 472 it will be too late to request for an invoice extension.

Because TISD has not certified the Form 472 for Industrial ISD and it is beyond the allowable date to request and file for an extension. I would like to move forward with requesting the opportunity to appeal for an invoice extension for Industrial ISD.

We respectfully request USAC to approve an extension request for the FRN listed in our appeal. We ask for the opportunity to request reimbursements for the expenses paid by Industrial Independent School District.

Attached are the Form 472 and Form 472 Notification Letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tony Pompa', with a large, stylized initial 'T' and a long, sweeping horizontal stroke at the end.

Tony Pompa  
School Business Specialist  
361 -573-0731  
tpompa@esc3.net

## Tony Pompa

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**From:** Tony Pompa  
**Sent:** Wednesday, December 16, 2015 9:42 AM  
**To:** 'Mary Chandler'  
**Subject:** RE: Erate Region 3

Thank you Mary, I look forward to speaking with Diann.

Have a great day,

Tony Pompa  
School Business Specialist

361-573-0731 ext. 253  
tpompa@esc3.net  
1905 Leary Lane  
Victoria, TX 77901

-----Original Message-----

From: Mary Chandler [mailto:mary@tisd.net]  
Sent: Wednesday, December 16, 2015 9:40 AM  
To: Tony Pompa <TPompa@esc3.net>  
Subject: Re: Erate Region 3

Good Morning,

You would need to speak to Diann about the erate program. I've forwarded her your email, so she should be in touch with you.

Thank you,  
Mary  
361.573.1102 ext. 302

>  
>  
>  
>

> ----- Original Message

> -----

> Subject: TISD Contact Form  
> From: "Tony Pompa" <tpompa@esc3.net>  
> Date: Wed, December 16, 2015 9:07 am  
> To: billing@tisd.net

> -----  
> ----  
>

>  
> From: Tony Pompa <tpompa@esc3.net>  
>  
> Company:  
> Region 3 Education Service Center  
>  
> Telephone:  
> 361-573-0731 ext253  
>  
> Department:  
> billing@tisd.net  
>  
> Message Body:  
> I'm attempting to contact Donna Nelson but I've been informed she is  
> no longer employed at TISD. Is there someone whose taken over her  
> responsibilities that can please contact me to discuss the Erate program?  
>  
> Thank you,  
>  
> Tony Pompa  
>  
> --  
> This mail is sent via contact form on TISD.NET  
>  
>  
>  
>  
>  
>  
>

--  
Mary Chandler  
TISD, Inc.  
361.573.1102



**Administrator's Appeal Acknowledgement Letter**  
(Funding Year 2014: 07/01/2014-06/30/2015)

December 22, 2015

Tony Pompa  
Region 3  
1905 Leary Lane  
Victoria, TX 77901

Subject: Industrial Independent School District

Tony Pompa,

Universal Service Administrative Company has received your correspondence dated December 18, 2015, on December 18, 2015 regarding the FY2014 funding decision of your FCC Form 471 Application Number(s) 962646 – FRN 2657227 respectively.

These are the steps that will now follow:

1. We will review your correspondence carefully to identify the specific issue(s) it raises.
2. We will consult the Program Integrity Assurance (PIA) records and all supporting documentation for the application. Our goal is to determine whether the program rules were administered appropriately in processing your application.
3. Once the review process is completed we will respond in writing and state whether your appeal is approved, denied or approved in part. A Revised Funding Commitment Decision Letter will follow for any approved appeal resulting in additional discounts for your application. Funds have been set aside to implement funding decisions for appeals approved by the USAC and/or the Federal Communications Commission.

We will perform an in-depth review of your appeal. Our goal is to respond to you as promptly as possible. We thank you in advance for your patience as we handle your appeal with the care and attention it deserves.

Universal Service Administrative Company



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2014-2015**

March 22, 2016

Tony Pompa  
Region 3  
1905 Leary Lane  
Victoria, TX 77901

Re: Applicant Name: INDUSTRIAL INDEP SCHOOL DIST  
Billed Entity Number: 141456  
Form 471 Application Number: 962646  
Funding Request Number(s): 2657227  
Your Correspondence Dated: December 18, 2015

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 FCC Form 472 (BEAR) Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2657227  
Decision on Appeal: **Denied**  
Explanation:

- FCC Form 472 Number 2261010 was certified online by the Service Provider on 1/22/016 which was after 10/28/2015, the last day to submit an invoice to USAC. It is the applicant's responsibility to ensure that all blocks of the FCC Form 472 are submitted to USAC in a timely manner. You did not demonstrate otherwise in your appeal. Therefore, the appeal is denied.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference

Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Tony Williams



Tony Pompa  
Region 3  
1905 Leary Lane  
Victoria, TX 77901

Billed Entity Number: 141456  
Form 471 Application Number: 962646  
Form 486 Application Number: